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5 Attorneys for Plaintiff
 6 SPOTLIGHT SURGICAL, INC.

7
 8 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

9 SPOTLIGHT SURGICAL, INC.,

10 Case No. C-07-03362 JF

11 Plaintiff,

12 v.

13 DEPUY, INC. and DEPUY SPINE, INC.,

14 Defendants.

15
STIPULATION (SEVENTH) AND
[PROPOSED] ORDER TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND RELATED DEADLINES

16 Plaintiff Spotlight Surgical, Inc., on the one hand, and defendants DePuy, Inc. and
 17 DePuy Spine, Inc., on the other, hereby stipulate and agree, through their respective counsel,
 18 as follows:

19 1. The Court's Order To Continue Case Management Conference And Related
 20 Deadlines entered on April 25, 2008 sets forth the following deadlines:

22 **May 7, 2008**

Last day to:

- 23 • meet and confer re: initial disclosures, early settlement,
 24 ADR process selection, and discovery plan; and
- 25 • file Joint ADR Certification with Stipulation to ADR
 26 Process or Notice of Need for ADR Phone Conference.

May 21, 2008

Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement.

June 2, 2008

Initial Case Management Conference (CMC) in Courtroom 3, 5th Floor, SJ at 10:30 a.m.

2. The parties have been engaged in settlement discussions to resolve this litigation, have reached a settlement in principle and have exchanged a draft settlement agreement, subject to the parties' entry into a mutually acceptable settlement agreement.

3. The parties wish to continue the Initial Case Management Conference and extend the deadlines for the parties to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan; file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference; and file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement, all for approximately 30 days, in order to conserve the resources of the parties and the Court and to allow the parties time to finalize settlement.

4. There being good cause, the parties hereby stipulate and respectfully request that the Court issue an Order resetting the above deadlines as follows:

June 9, 2008

Last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; and
- file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

June 23, 2008

Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement.

1 **July 2, 2008**

Initial Case Management Conference (CMC) in Courtroom
2 3, 5th Floor, SJ at 10:30 a.m.
3

4 Dated: May 2, 2008

HELLER EHRMAN LLP

6
7 By \S\HAROLD J. MILSTEIN
Harold J. Milstein

8
9 Attorneys For Plaintiff SPOTLIGHT
SURGICAL, INC.

10 Dated: May 2, 2008

MORGAN, LEWIS & BOCKIUS LLP

11
12 By \S\DIANE MASON
Diane Mason

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14 Attorneys for Defendants DEPUY, INC. and
DEPUY SPINE, INC.

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17
18 Dated: _____

19
20 _____
The Honorable Jeremy Fogel
21 United States District Judge